



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>AUTOANTIBODIES TO GLUCOSE-6-PHOSPHATE</u>
ISOMERASE AND THEIR PARTICIPATION IN AUTOIMMUNE DISEASE.

The specification of which was filed on <u>April 6, 2001</u> as application serial no. <u>09/828,708</u> and was amended on <u>April 6, 2001</u>.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

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I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

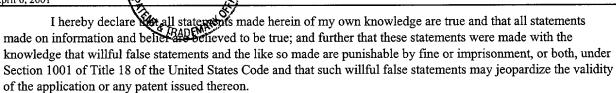
	PADOMARY	g attorney(s) and/or pater			
I hereby appo	oint the following	attornev(s) and/or pater	nt agent(s) to pro	osecute this application	n and to transact
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Anglin, J. Michael	Reg. No. 24,916	Gortych, Joseph E.	Reg. No. 41,791	Nelson, Albin J.	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Haack, John L.	Reg. No. 36,154	Nielsen, Walter W.	Reg. No. 25,539
Beekman, Marvin L.	Reg. No. 38,377	Harris, Robert J.	Reg. No. 37,346	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Hill, Stanley K.	Reg. No. 37,548	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Jackson Huebsch, Katharine A.	_	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Jurkovich, Patti J.	Reg. No. 44,813	Peret, Andrew R.	Reg. No. 41,246
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Brennan, Thomas F.	Reg. No. 35,075	Klima-Silberg, Catherine I.	Reg. No. 40,052	Prout, William F.	Reg. No. 33,995
Brooks, Edward J., III	Reg. No. 40,925	Kluth, Daniel J.	_	Schumm, Sherry W.	Reg. No. 39,422
Chadwick, Robin A.			Reg. No. 32,146 Reg. No. 41,136		Reg. No. 25,816
•	Reg. No. 36,477	Lacy, Rodney L.	_	Schwegman, Micheal L.	
Clark, Barbara J.	Reg. No. 38,107	Lemaire, Charles A.	Reg. No. 36,198	Scott, John C.	Reg. No. 38,613
Clise, Timothy B.	Reg. No. 40,957	LeMoine, Dana B.	Reg. No. 40,062	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Lundberg, Steven W.	Reg. No. 30,568	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	Maki, Peter C.	Reg. No. 42,832	Steffey, Charles E.	Reg. No. 25,179
Embretson, Janet E.	Reg. No. 39,665	Malen, Peter L.	Reg. No. 44,894	Stordal, Leif T.	Reg. No. 46,251
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Forrest, Bradley A.	Reg. No. 30,837	McCrackin, Ann M.	Reg. No. 42,858	Tong, Viet V.	Reg. No. 45,416
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
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		nade herein of my own know	-		
belief are believed to be	true; and further that	t these statements were made	with the knowledg	ge that willful false stateme	nts and the like so
made are punishable by	fine or imprisonmen	t, or both, under Section 1001	of Title 18 of the	United States Code and that	at such willful false
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Evil Name of inint inven	tom muumbon 1	Ionnile Dianel			
Full Name of joint inven		<u>lenrik Ditzel</u>			
Citizenship:	Denmark		Residence: San D	Diego, CA	
Post Office Address:	4411 Cam	inito Şana, #4			
	San Diego	, C4 92 22		. 1	
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Signature:	1 /14	AA	Date:	/ / 0/	
51g.1	Henrik Ditzel		Date.		
	Hemik Dilzei				
Full Name of joint inven	tor number 2: D	ennis R. Burton			
Citizenship:	United Ki		Residence: La Jo	lia CA	
Post Office Address:		mont Avenue	residence. Da 90	ma, CA	
Fost Office Address:					
	La Jolla, C	A 9203/			
G:			_		
Signature:			Date:		
	Dennis R. Burton				

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

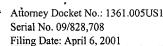
Attorney Docket No.: 1361.005US
 Serial No. 09/828,708
 Filing Date: April 6, 2001

Attorney Docket No.: 1361.005US1

Serial No. 09/828,708 Filing Date: April 6, 2001



Full Name of joint inver Citizenship: Post Office Address:	switzerland 952 Reed Avenue San Diego, CA 92109	Residence: San Diego, CA	
Signature:	Monica Schaller	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
Full Name of inventor: Citizenship: Post Office Address: Signature:		Residence: Date:	
Signature.			
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	



The time that the same

§ 1.56 Duty to disclose information many patentability.

- A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent (a) examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - prior art cited in search reports of a foreign patent office in a counterpart application, and
 - the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- Individuals associated with the filing or prosecution of a patent application within the meaning of this section are: (c)
 - Each inventor named in the application:
 - Each attorney or agent who prepares or prosecutes the application; and
 - Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

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As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

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Attorney Docket No.: 1361.005U	s i				5
Serial No. 09/828,708		æ	2	4 2001	4
Filing Date: April 6, 2001	12				

I hereby appoint the tollowing attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Gortych, Joseph E.	Reg. No. 41,791	Nelson, Albin J.	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Haack, John L.	Reg. No. 36,154	Nielsen, Walter W.	Reg. No. 25,539
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Gorrie, Gregory J.	Reg. No. 36,530	Nama, Kash	Reg. No. 44,255	Woessner, Warren D.	Reg. No. 30,440
disclosure to be represe. Please direct all corresp	nted unless/until I insondence in this case	t this case to them and by who struct Schwegman, Lundberg, to Schwegman, Lundberg, V P.O. Box 2938, Minnea Telephone No. (61	Woessner & Kluth Voessner & Kluth polis, MN 55402 2)373-6900	h, P.A. to the contrary. A, P.A. at the address indica	ted below:
belief are believed to be	true; and further tha	made herein of my own know t these statements were made t, or both, under Section 1001	with the knowledg	ge that willful false stateme	nts and the like so
statements may jeopard	ize the validity of the	application or any patent issu	ued thereon.		
Full Name of joint investigations of the Citizenship: Post Office Address:	Denmark 4411 Cam	Henrik Ditzel hinito Sana, #4 h, CA 92122	Residence: San D	riego, CA	
Signature:	Henrik Ditzel		Date:	4,000	1
Full Name of joint inve	ntor number 2 : <u>I</u> United K	Dennis R. Burton	Residence: La Jo		

18 Jun 01

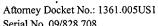
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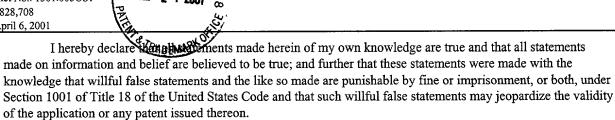
La Jolla, CA 92037

Dennis R. Burton

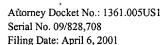
Signature:



Serial No. 09/828,708 Filing Date: April 6, 2001



Citizenship: Post Office Address:	Switzerland 952 Reed Avenue San Diego, CA 92109	Residence: San Diego, CA	
Signature:	Monica Schaller	Date:	
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
道 Signature:		Date:	
Signature: Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	
			<u> </u>
Full Name of inventor: Citizenship: Post Office Address:		Residence:	
Signature:		Date:	





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- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

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I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: <u>AUTOANTIBODIES TO GLUCOSE-6-PHOSPHATE</u>
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Attorney Docket No.: 1361.005US1 Serial No. 09/828,708 Filing Date: April 6, 2001 I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Reg. No. 28,650 Reg. No. 41,791 Nelson, Albin J. Reg. No. 24,916 Gortych, Joseph E. Anglin, J. Michael Reg. No. 42,267 Nielsen, Walter W. Reg. No. 25,539 Haack, John L. Reg. No. 36,154 Arora, Suneel Beekman, Marvin L. Reg. No. 38,377 Harris, Robert J. Reg. No. 37,346 Padys, Danny J. Reg. No. 35,635 Reg. No. 37,548 Parker, J. Kevin Reg. No. 33,024 Bianchi, Timothy E. Reg. No. 39,610 Hill, Stanley K. Reg. No. 42,989 Billion, Richard E. Reg. No. 32,836 Jackson Huebsch, Katharine A. Reg. No. 47,670 Perdok, Monique M. Reg. No. 41,246 Peret, Andrew R. Black, David W. Reg. No. 42,331 Jurkovich, Patti J. Reg. No. 44,813 Reg. No. 47,857 Reg. No. 37,650 Peterson, David C. Brennan, Leoniede M. Reg. No. 35,832 Kalis, Janal M. Prout, William F. Reg. No. 33,995 Reg. No. 40,052 Brennan, Thomas F. Reg. No. 35,075 Klima-Silberg, Catherine I. Schumm, Sherry W. Reg. No. 39,422 Reg. No. 32,146 Reg. No. 40,925 Kluth, Daniel J. Brooks, Edward J., III Reg. No. 41,136 Schwegman, Micheal L. Reg. No. 25,816 Reg. No. 36,477 Chadwick, Robin A. Lacy, Rodney L. Clark, Barbara J. Reg. No. 38,107 Lemaire, Charles A. Reg. No. 36,198 Scott, John C. Reg. No. 38,613 Reg. No. 40,062 Reg. No. 40,957 LeMoine, Dana B. Smith, Michael G. Reg. No. 45,368 Clise, Timothy B. Reg. No. 45,458 Reg. No. 44,639 Lundberg, Steven W. Reg. No. 30,568 Speier, Gary J. Dahl, John M. Reg. No. 25,179 Reg. No. 40,594 Maki, Peter C. Reg. No. 42,832 Steffey, Charles E. Drake, Eduardo E. Reg. No. 44,894 Reg. No. 46,251 Embretson, Janet E. Reg. No. 39,665 Malen, Peter L. Stordal, Leif T. Reg. No. 31,884 Terry, Kathleen R. Reg. No. 35,271 Fordenbacher, Paul J. Reg. No. 42,546 Mates, Robert E. Reg. No. 45,416 Reg. No. 42,858 Tong, Viet V. Forrest, Bradley A. Reg. No. 30,837 McCrackin, Ann M. Reg. No. 33,742 Viksnins, Ann S. Reg. No. 37,748 Moore, Charles L., Jr. Gamon, Owen J. Reg. No. 36,143 Gorrie, Gregory J. Reg. No. 36,530 Nama, Kash Reg. No. 44,255 Woessner, Warren D. Reg. No. 30,440 ū Ö I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/ firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below: P.O. Box 2938, Minneapolis, MN 55402 Telephone No. (612)373-6900 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and bettef are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so mate are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. Full Name of joint inventor number 1: **Henrik Ditzel** Residence: San Diego, CA Citizenship: Denmark Post Office Address: 4411 Caminito Sana, #4

Signature: Date:

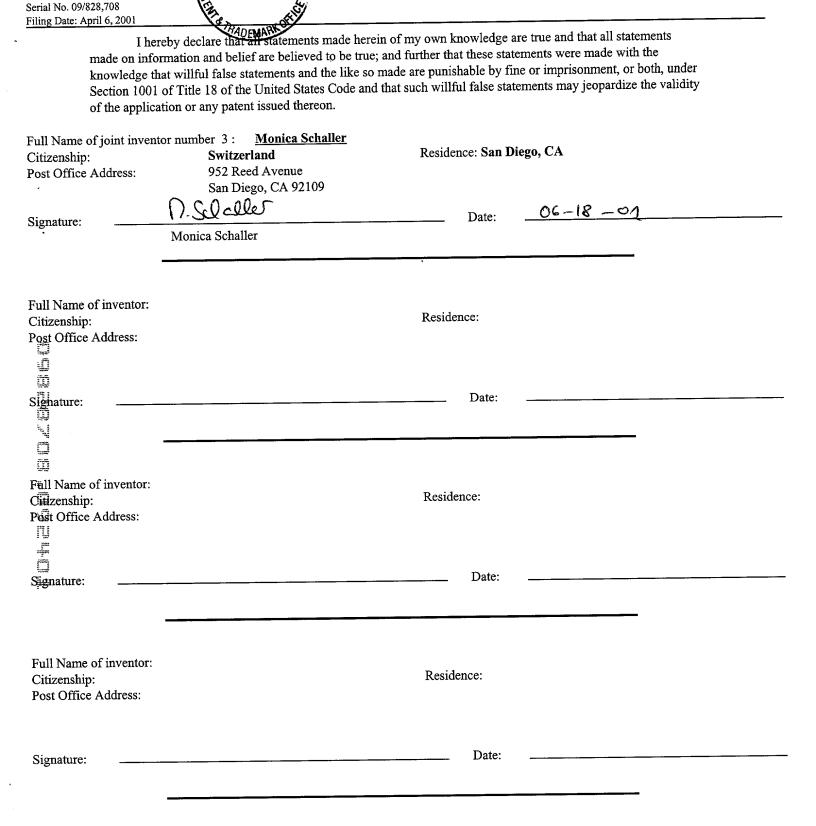
Henrik Ditzel

Full Name of joint inventor number 2: Dennis R. Burton
Citizenship: United Kingdom Residence: La Jolla, CA
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Signature: Date:

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Dennis R. Burton



Attorney Docket No.: 1361.005US1

Attorney Docket No.: 1361.005US1 Serial No. 09/828,708 Filing Date: April 6, 2001

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§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of the patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
 - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

Apprima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.